



Monroe County Legislature

Office of the Republican Majority

May 10, 2021

To the Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

OFFICIAL FILE COPY
No. <u>210170</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
AGENDA/CHARTER -L

Subject: Enacting a Local Law Entitled, "Junior Deer Hunter Pilot Program"

Honorable Legislators:

Hunting in New York State is among the most popular wildlife recreational activities. According to the New York State Department of Environmental Conservation (NYSDEC), roughly 700,000 residents and over 50,000 non-residents hunt within the Empire State. With diverse and vibrant wildlife across the State, New York offers a wide range of opportunities to hunt a large variety of fauna. Monroe County is no exception to the popularity of hunting and the diverse fauna that frequent our area.

The popularity and love of hunting spans all communities, all backgrounds, and all ages. Unfortunately, for young outdoorsmen and women, the current minimum age for a junior hunter to hunt deer with a firearm or crossbow with adult supervision is fourteen (14). Fortunately, in this year's adopted New York State Budget, a provision was included enabling a junior hunting pilot program to expand further the opportunities for such outdoors people, allowing counties to opt-in to the program.

New York State Conservation Council, Inc., one of the largest and oldest conservation and sporting communities in the State, has strongly endorsed this program and called upon County Legislatures across the State to opt-in via local law. This program would provide young hunters of all types the ability to gain first-hand experience and knowledge from an experienced adult hunter, which would expand opportunities, expertise, safety, and ethics for generations to come.

This legislation is a safe, reasonable, and proper expansion of our current hunting and sporting laws. The requirements of this legislation include several necessary safety measures that will ensure the learning experience is a safe one for all involved. While this is a pilot program set to be phased out in 2023, participating in the program will allow the State and our community to collect the information necessary to consider its permanent adoption.

Several counties across the State have introduced and expressed their support behind opting into the junior hunting pilot program. While there is no deadline for counties to opt-in, resolutions must be approved by June 1 to be included within NYS DEC's Hunting and Trapping Guide for this fall or by September 1 to be included on the NYS DEC's webpage for this fall season. Adopting this legislation would provide valuable education and increase hunting safety for generations to come while

attracting even more people to Monroe County and all it has to offer. Monroe County has continuously been a leader across this State in adopting and providing new opportunities. Participating in the pilot program would again demonstrate the leadership, diversity, and resourcefulness of our community.

The specific legislative actions required are:

1. Schedule and hold a public hearing.
2. Adopt the local law as attached.

This is a Type II Action pursuant to 6 NYCRR 617.5(c) (26) ("routine of continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and is not subject to further review under the State Environmental Quality Review Act.

This action would have no net impact on the current revenue and/or expenditures of the 2021 Monroe County budget.

Respectfully Submitted,



Steve Brew
Monroe County Legislature
Majority Leader



Frank X. Allkofer
Monroe County Legislator
District 4



George J. Hebert
Monroe County Legislator
District 15

By Legislators _____ and _____

Intro No. _____

LOCAL LAW NO. _____ OF 2021

ENACT A LOCAL LAW ENTITLED "JUNIOR DEER HUNTER PILOT PROGRAM"

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. Part IV, General Local Laws of the Administrative Code and Charter of Monroe County, is hereby amended to add a new chapter to include the following Local Law:

CHAPTER 268, JUNIOR DEER HUNTING PILOT PROGRAM

§ 286-1. **Title.** This chapter shall be known as the law "Junior Deer Hunting Pilot Program."

§ 286-2 **Legislative Intent.** The intent of this Local Law is to authorize Monroe County to permit 12- and 13-year-old individuals to participate in the new hunting opportunities pursuant to Environment Conservation Law § 11-0935. The enacted 2021-2022 New York State Budget included a pilot program expanding the opportunity for young hunters, aged 12 and/or 13, to hunt with firearms and crossbow through 2023 if a County authorizes such participation in the pilot program within their municipality via local law. Monroe County's hunters are a large and important part of our community and this opportunity would allow adult hunters the ability to introduce and teach the proper values and ethics of hunting to the next generation. In addition, teaching such safe, proper and lawful hunting methods to young people will provide a rewarding and productive experience while providing food to families across the area and contributing to deer population control efforts.

§ 286-3 **Authorizing Pilot Program in Monroe County.** Pursuant to Section 11-0935 of the New York State Environmental Conservation Law, Monroe County hereby authorizes participation in the temporary pilot program to allow a hunting license holder who is twelve or thirteen years of age to hunt deer with a crossbow, rifle, shotgun, or muzzle-loading firearm through 2023.

§ 286-4 **Requirements.** A hunting license holder who is twelve or thirteen years of age may hunt deer with a crossbow, rifle, shotgun, or muzzle-loading firearm as provided in this chapter provided that:

- A. Such minor is accompanied by their parent or legal guardian, or by a person designated in writing by such parent or legal guardian on a form prescribed by the New York State Department of Environmental Conservation, who is twenty-one years of age or older; and
- B. Such parent, guardian or person has had at least three years' experience in hunting deer; and
 - 1. such parent, guardian or person holds a hunting license; and
 - 2. such parent, guardian or person maintains physical control over the minor at all times while hunting. For the purposes of this paragraph "physical control" shall mean that the physical proximity of such minor to the parent, guardian or person is such that the parent, guardian or person is reasonably able to issue verbal directions and instructions, maintain constant visual contact, and otherwise provide guidance and supervision to the minor; and

3. such parent, guardian or person and the minor remain at ground level at all times while hunting; and

C. Such parent, guardian or person and the minor shall each display either a minimum total of two hundred fifty square inches of solid fluorescent orange or pink or patterned fluorescent orange or pink consisting of no less than fifty percent fluorescent orange or pink material worn above the waist and visible from all directions, or a hat or cap with no less than fifty percent of the exterior consisting of solid fluorescent orange or pink material and visible from all directions.

§ 286-5 **Severability.** If any clause, sentence, paragraph, section or chapter of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such determination shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or chapter thereof directly involved in the proceeding in which such adjudication shall have been rendered. This local law shall not supersede any other state laws, rules, or regulations related to crossbow hunting.

Section 2. The Clerk of the Legislature shall notify the New York State Department of Environmental Conservation upon final adoption of this local law in accordance with Section 11-0935 of the New York State Environmental Conservation Law.

Section 3. This local law shall take effect after filing with the Secretary of State pursuant to Section 27 of New York Municipal Home Rule Law.

_____ Committee; _____ – CV: _____
File No. 21-____.LL

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF LOCAL LAW: _____